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November 3, 2023

Via ECF

The Honorable Jennifer E Willis, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *De La Cruz v. Motiwala et al*
Case No.: 1:22-cv-10403-AT

Dear Judge Willis:

We are counsel to Plaintiff in the above-referenced matter. We write this letter pursuant to the Court's order dated October 11, 2023, [Dkt. No. 48], requesting a status update regarding the scheduling of depositions by November 1, 2023.

Both Plaintiff and his counsel provided their dates of availability for deposition to Defendants by the November 1, 2023, deadline. However, our office received no reciprocal dates from Defendants. As the Court will recall, Plaintiff previously provided a half dozen dates throughout October for purposes of scheduling depositions which also went ignored by Defendants.

As of today, two days after we were to exchange schedules per the Court's Order, we have yet to receive any response from Defendants. Consequently, Plaintiff is unable to fulfill the court's mandate and file the joint letter without cooperation from Defendants.

This failure to comply with Your Honor's Orders and Defendants' discovery obligations has left Plaintiff with no choice but to seek the Court's intervention, in accordance with Rule II (A) of Your Honor's Individual Practices.

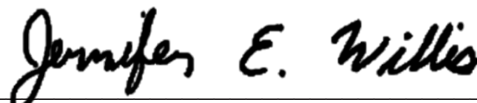
Given the circumstances described above, Plaintiff kindly requests that the Court compel Defendants to provide their dates of availability by no later than **November 9, 2023**.

We thank the Court for its consideration of the above.

Respectfully submitted,

/s/ C.K. Lee
C.K. Lee, Esq.

This request is GRANTED. Defendants are directed to provide Plaintiff with dates for depositions by **November 9, 2023 at 6:30pm EST**. Failure to comply with this Court's order may result in sanctions pursuant to Fed. R. Civ. P. 37(b)(2). SO ORDERED.



Jennifer E. Willis
United States Magistrate Judge
November 8, 2023